

2006 OCT 23 P 1:36

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

FILED-CLERK OF COURT  
GREENVILLE CO. S.C.  
PAUL B. WICKENSIMER

BIDZIRK, LLC, DANIEL G. SCHMIDT, )  
III, and JILL PATTERSON, )

Plaintiffs, )

v. )

Civil Action No. 6:06-CV-00109-HMH

PHILIP J. SMITH, )

Defendant. )

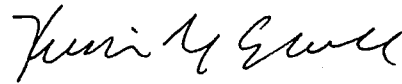
NOTICE OF LIS PENDENS

YOU ARE HEREBY NOTIFIED that the above-captioned action is pending in the United States District Court for the District of South Carolina against Philip J. Smith. The purpose of the action is to recover damages for defamation and invasion of privacy, and to enjoin the defendant's infringement of trademarks belonging to BidZirk, LLC. The property affected by this notice is 601 Cleveland Street, Apartment 5-C, Greenville, South Carolina 29601, located on Map No. 0067080103600 in the office of the Register of Deeds of Greenville County, South Carolina. Description and tax information is exhibited hereto.

WHEREFORE Plaintiffs advise and request the Clerk to record the instant Notice on the Court's lis pendens docket, that said Notice shall inform the public of the pendency of the above-captioned action.

RECORDED IN BOOK 03 PAGE 073

This 23<sup>rd</sup> day of October, 2006.



---

KEVIN M. ELWELL  
South Carolina Bar No. 73971

K.M. ELWELL, P.C.  
111 East North Street  
Greenville, South Carolina 29601  
(864) 232-8060  
(404) 759-2124 e-facsimile  
[kmelwell@kmelwell.com](mailto:kmelwell@kmelwell.com)

Attorneys for Plaintiffs BidZirk, LLC,  
Daniel G. Schmidt, III and Jill Patterson

Real Property Detail Information			
<b>Select Another Tax Year :</b>		<b>2006</b>	<a href="#">View Map</a>
<a href="#">View Image</a>			
<b>Map #</b> 0067080103600 <b>Year</b> 2006 <b>Owner 1</b> SMITH PHILIP J <b>Owner 2</b> <b>Prev. Owner</b> WERNER CHARLES M III <b>Care Of</b> <b>Acreage</b>		<b>Mail Addr</b> 601 CLEVELAND ST APT 5C <b>City</b> GREENVILLE <b>State</b> SC <b>Zip</b> 29601 <b>Desc</b> 5C <b>Loc</b> 601 CLEVELAND ST <b>SubDiv</b> MCDANIEL HEIGHTS	
<b>Deed Book-Pg</b> 1921 - 10 <b>Deed Date</b> 08/10/2000 <b>Will</b> <b>Sales Price</b> \$48,500 <b>Plat Book/ Pg</b> <b>Dist</b> 500 <b>Juris</b> 1		<b>Land Use</b> 1100 <b>HmstCd</b> <b>Storm</b> \$21.50 <b>Num Bathrooms</b> 1 <b>Num Bedrooms</b> 1 <b>Num Half Baths</b> 0	
		<b>Sq Footage</b> 646 <b>No Bldgs</b> 1 <b>Bldg Val</b> \$38,167 <b>Land Val</b> \$5,000 <b>Total Val</b> \$43,167 <b>Total Rollback</b> \$0.00 <b>Assmt Class</b> LR	
<b>Cur. Yr Taxes</b> \$445.87 <b>Amount Due</b> \$445.87		<b>Acct.No</b> 200600020801188001 <b>Date Paid</b> <b>Amount Paid</b>	

[Pay Taxes Online](#)

OFFICIAL PAYMENTS CORP.


[County Home Page](#)
[Real Property Search](#)
[Services](#)
[Legal Disclaimer](#)

**Greenville County Government**

online document viewer

 Go to Page 1 of 1
 

PROPE	
SHEET NO. 67.8	BLOCK NO. 1
LOT NO. 3	
LISTED	Cleveland Street
DESCRIPTION	Unit#5C McDaniel Heights Cond.
RECORD OF OWNERSHIP	DATE VOL., PAGE
	11-20-78
College Properties, Inc.	1092-330
60%INT 40%INT	9-27-79
Moore, Otis P. & Walter B.	1112-425
	10-26-79
Herran, Vincent W.	1114-335
	8-1-80
Rodgers, Virginia M.	1130-341
	06-29-90
Sultan, Fatema	1404-204
	04-16-91
Dickson, Judy McCartt	1432-756
	07-16-97
Werner, Charles M., III	1702-958
	08-10-2000
Smith, Philip J.	1921-10

2006 OCT 23 P 1:36

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF SOUTH CAROLINA  
 GREENVILLE DIVISION

BIDZIRK, LLC, DANIEL G. SCHMIDT, )  
 III, and JILL PATTERSON, )

Plaintiffs, )

v. )

PHILIP J. SMITH, )

Defendant. )

Civil Action No. 6:06-CV-00109-HMH

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the foregoing NOTICE OF LIS  
 PENDENS upon the following parties by depositing same in the United States Mail in a  
 properly-addressed envelope with adequate postage affixed to:

Mr. Philip J. Smith  
 601 Cleveland Street  
 Apartment 5-C  
 Greenville, South Carolina 29601

This 23<sup>rd</sup> day of October, 2006.



KEVIN M. ELWELL  
 South Carolina Bar No. 73971

K.M. ELWELL, P.C.  
 111 East North Street  
 Greenville, South Carolina 29601  
 (864) 232-8060  
 (404) 759-2124 e-facsimile  
[kmelwell@kmelwell.com](mailto:kmelwell@kmelwell.com)

Attorneys for Plaintiffs BidZirk, LLC,  
 Daniel G. Schmidt, III and Jill Patterson